

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

PATRICIA SCHWEND, <i>n/k/a</i>	)	
PATRICIA SCHWEND-McCUMMISKEY,	)	
	)	
Plaintiff,	)	Case No. 4:10-cv-01590-CDP
vs.	)	
	)	
US BANK, N.A., et al.	)	
	)	
Defendants.	)	

**DEFENDANTS' CONSENT MOTION FOR ADDITIONAL TIME  
TO SUBMIT A PRE-CERTIFICATION DISPOSITIVE MOTION**

Defendants US Bank, N.A. and Wells Fargo Bank, N.A., by and through their counsel, Bryan Cave LLP, hereby move for the entry of an Order extending the deadlines for the pre-certification dispositive motion briefing schedule by seven (7) days. In support of their motion, Defendants state as follows:

1. On November 23, 2011, this Court entered the Second Amended Case Management Order setting forth the deadlines for this instant action.
2. The Second Amended Case Management Order requires pre-certification dispositive motions to be filed no later than January 13, 2012. The opposition brief and the reply brief for any pre-certification dispositive motions are due no later than February 13, 2012 and February 23, 2012 respectively.
3. Unfortunately, due to an unexpected absence, Defendants' primary client contact is unavailable this week. As such, Defendants require additional time to finalize and submit a pre-certification dispositive motion in this instant action.
4. The purpose of this extension is not delay.

5. Defendants' counsel communicated with Plaintiff's counsel regarding the proposed new deadlines for the pre-certification dispositive motion briefing scheduling, and he has consented to the extension of these deadlines.

WHEREFORE, Defendants respectfully request that this Court issue an Order extending the deadlines for the pre-certification dispositive motion briefing schedule by seven (7) days, up to and including January 20, 2012 (pre-certification dispositive motion), February 20, 2012 (opposition brief) and March 1, 2012 (reply brief), and such further relief as this Court deems just and proper.

Respectfully submitted,

BRYAN CAVE, LLP

/s/ Ashley H. Nall  
Ashley H. Nall, USDC #: 59960MO  
161 North Clark Street, Suite 4300  
Chicago, Illinois 60601  
Telephone: (312) 602-5097  
Fax: (312) 698-7497  
E-mail: [ashley.nall@bryancave.com](mailto:ashley.nall@bryancave.com)

Eric D. Martin, USDC #: 67275MO  
One Metropolitan Square  
211 North Broadway, Suite 3600  
St. Louis, MO 63102  
Telephone: (314) 259-2000  
Fax: (314) 259-2020  
E-mail: [eric.martin@bryancave.com](mailto:eric.martin@bryancave.com)

*Attorneys for Defendants US Bank, N.A. and Wells Fargo Bank, N.A.*

### **CERTIFICATE OF SERVICE**

I, hereby certify that on January 9, 2012, the foregoing was filed electronically with the Clerk of Court to be served to the following by operation of the Court's electronic filing system:

Gregory P. White  
8000 Bonhomme, Suite 316  
Clayton, Missouri 63105

Peter M. Westoff  
7751 Carondelet, Suite 800  
Clayton, Missouri 63105

John Campbell  
800 Market Street, Suite 1700  
St. Louis, Missouri 63101

Attorneys for Plaintiff

/s/ Ashley H. Nall  
Ashley H. Nall, USDC #: 59960MO  
161 North Clark Street, Suite 4300  
Chicago, Illinois 60601  
Telephone: (312) 602-5097  
Fax: (312) 698-7497  
E-mail: [ashley.nall@bryancave.com](mailto:ashley.nall@bryancave.com)